

UTILITY PATENT APPLICATION TRANSMITTAL

(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
PC 32131A

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

NEUROPROTECTIVE COMPOSITION AND USES THEREOF

and invented by:

Joanne Paquin, Montreal (Quebec), Canada; Mircea-Alexandru Mateescu, Montreal (Quebec), Canada; and Eric DeGrandpre, Joliette, (Quebec), Canada;

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/021,735

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 37 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

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Docket No.
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Application Elements (Continued)

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☐ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☒ Assignment Papers *(cover sheet & document(s))* Recorded February 6, 2002
Reel/Frame: 012565/0952
10. ☐ 37 CFR 3.73(B) Statement *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EL992815318

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(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

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Total Pages in this Submission

Accompanying Application Parts (Continued)

17. ☐ Additional Enclosures *(please identify below)*:

Power of Attorney

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
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Fee Calculation and Transmittal

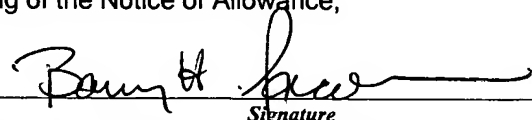
CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	21	- 20 =	1	x \$18.00	\$18.00
Indep. Claims	4	- 3 =	1	x \$86.00	\$86.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$770.00
OTHER FEE (specify purpose) _____					\$0.00
TOTAL FILING FEE					\$874.00


- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 23-0455 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$874.00 as filing fee.
 - ☒ Credit any overpayment.
 - ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - ☒ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated:

cc:


Signature

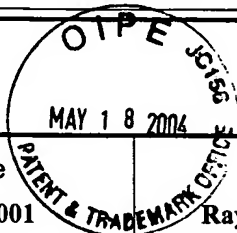
Barry H. Jacobsen, Reg. No. 43,689
Warner-Lambert Company LLC
201 Tabor Rd
Morris Plains, NJ 07950
Phone (973) 385 7072
Fax (973) 385 3117
CUSTOMER NO. 29668

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. PC 32131A
Applicant(s): Joanne Paquin, et al.			
Serial No. Not Assigned	Filing Date May 18, 2004	Examiner Not Assigned	Group Art Unit Not Assigned
Invention: NEUROPROTECTIVE COMPOSITION AND USES THEREOF			
I hereby certify that the following correspondence: <div>Utility Patent Application Transmittal; Patent Application; Declaration & Power of Attorney; Assignment; Power of Attorney; Preliminary Amendment; Postal Card Receipt</div> <p>(Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p><u>May 18, 2004</u> (Date)</p> <p><u>Mary M. Helmken</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u></u> (Signature of Person Mailing Correspondence)</p> <p><u>EL992815318</u> (“Express Mail” Mailing Label Number)</p>			
Note: Each paper must have its own certificate of mailing.			

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
PC 32131

In Re Application Of: Joanne Paquin, et al.



Serial No.
10/021,735

Filing Date
November 5, 2001

Examiner
Raymond J. Henley, III

Group Art Unit
1614

Invention: **NEUROPROTECTIVE COMPOSITION AND USES THEREOF**

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☐ A proposed reply to the above-identified notice or action:

☐ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: _____

2. ☒ The issue fee:

☒ is enclosed. ☐ was paid on _____

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
PC 32131

In Re Application Of: **Joanne Paquin, et al.**

Serial No.
10/021,735

Filing Date
November 5, 2001

Examiner
Raymond J. Henley, III

Group Art Unit
1614

Invention: **NEUROPROTECTIVE COMPOSITION AND USES THEREOF**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|---|-----------------------------|
| 6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$1,330.00</u> |
| 7. <input type="checkbox"/> Fee for amendment in the amount of: | <u> </u> |
| 8. <input type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u> </u> |
| 9. <input checked="" type="checkbox"/> Issue fee in the amount of: | <u>\$1,330.00</u> |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of: | <u> </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 12. <input checked="" type="checkbox"/> <u>Postal Card Receipt</u> | <u> </u> |
| Total fees enclosed: <u>\$2,660.00</u> | |

The fee of **\$2,660** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **23-0455**
- A duplicate copy of this sheet is enclosed.

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
PC 32131

In Re Application Of: Joanne Paquin, et al.

Serial No.
10/021,735

Filing Date
November 5, 2001

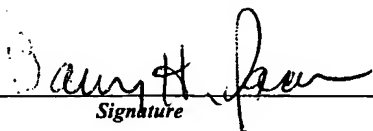
Examiner
Raymond J. Henley, III

Group Art Unit
1614

Invention: NEUROPROTECTIVE COMPOSITION AND USES THEREOF

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.


Signature

Dated: 5/18/04

Barry H. Jacobsen, Reg. No. 43,689
Warner-Lambert Company, LLC
201 Tabor Road
Morris Plains, NJ 07950
Phone 973 385 7072
Fax 973 385 3117

I certify that this document and fee is being deposited
on May 18, 2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Mary M Heemken
Typed or Printed Name of Person Mailing Correspondence

CC:

Please type a plus sign (+) inside this box →



PTO/SB/122 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

MAY 18 2004



Application Number	10/021,735
Filing Date	November 5, 2001
First Named Inventor	Joanne Paquin, et al.
Group Art Unit	1614
Examiner Name	Raymond J. Henley, III
Attorney Docket Number	PC 32131

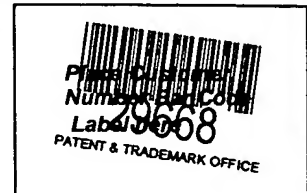
Please change the Correspondence Address for the above-identified application to:

☐

Customer Number

29668

Type Customer Number here



OR

☒

Firm or
Individual Name

Warner-Lambert Company, LLC

Address

201 Tabor Road

Address

City

Morris Plains

State

NJ

ZIP

07950

Country

USA

Telephone

973 385 7072

Fax

973 385 3117

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :

☐

Applicant/Inventor.

☐

Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒

Attorney or Agent of record.

☐

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Typed or Printed
Name

Barry H. Jacobsen, Reg. No. 43,689

Signature

Date

May 18, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒

*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

07278 7590 02/17/2004

DARBY & DARBY P.C.
P. O. BOX 5257
NEW YORK, NY 10150-5257



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Mary M. Helmken	(Depositor's name)
<i>Mary M. Helmken</i>	(Signature)
May 18, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,735	11/05/2001	Joanne Paquin	6670/OK001	5231

TITLE OF INVENTION: NEUROPROTECTIVE COMPOSITION AND USES THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$300	\$965	05/17/2004
EXAMINER		ART UNIT	CLASS-SUBCLASS		
HENLEY III, RAYMOND J		1614	514-458000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Barry H. Jacobsen
Evan J. Federman
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Universite Du Quebec A Montreal

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Montreal (Quebec) Canada

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee (Large Entity)
☐ Publication Fee
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 23 0455 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

Barry H. Jacobsen

(Date)

May 18, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



Date Mailed: 5/18/04 Express Mail No. _____
Application No. 10,021,735 Docket No. PC 32131 By mmh
Application of Paquin, et al.

Entitled Neuroprotective Composition + Uses Thereof

The following, due 5/17/04 in the U.S. Patent and Trademark Office, has been received there on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Specification _____ pages | <input type="checkbox"/> Amendment |
| <input type="checkbox"/> Claims _____ pages | <input type="checkbox"/> Reply |
| <input type="checkbox"/> Abstract _____ pages | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Drawing(s) _____ sheets | <input type="checkbox"/> Brief (3 copies) |
| <input type="checkbox"/> Declaration with <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Petition for Extension of Time |
| <input type="checkbox"/> Assignment & Recordation Cover Sheet | <input type="checkbox"/> Filing of Missing Parts |
| <input type="checkbox"/> Letter of Transmittal | <input type="checkbox"/> Express Mail Certificate |
| <input type="checkbox"/> Disclosure Statement _____ References | <input type="checkbox"/> Associate Power of Attorney |
| <input type="checkbox"/> Form PTO-FB-A820 | <input type="checkbox"/> Petition for Expedited Issuance for |
| <input checked="" type="checkbox"/> Issue Fee Transmittal | Foreign Filing License |
| <input type="checkbox"/> Fee Address Indication Form | <input type="checkbox"/> Provisional Cover Sheet |
| <input type="checkbox"/> Priority Document | <input type="checkbox"/> PTO-1390 (DO/EO/US) _____ pages |
| <input type="checkbox"/> Cert. of Correction under 37 CFR 1.322(a) | <input type="checkbox"/> Form PTO-1050 |
| <input checked="" type="checkbox"/> <u>Postal Card Receipt</u> | <input checked="" type="checkbox"/> <u>Petition for Revival</u> |
| <input checked="" type="checkbox"/> <u>Change of Correspondence</u> | <input type="checkbox"/> _____ |
| address | |